

Honolulu, Hawaii

March 14, 2014

RE: S.B. No. 3103  
S.D. 2  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred S.B. No. 3103, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ENHANCED 911 SURCHARGES,"

begs leave to report as follows:

The purpose of this measure is to provide for fair and equitable means of funding the statewide 911 system by establishing an E911 surcharge similar to the enhanced 911 surcharge imposed on postpaid wireless communications services to be imposed on each retail transaction of prepaid wireless telecommunications service.

The Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs; Office of Information Management Technology, Enhanced 911 Board; Maui Police Department; Honolulu Police Department; Hawai'i Police Department; Kauai Police Department; T-Mobile USA, Inc.; AT&T; CTIA-The Wireless Association; and the Industry Council for Emergency Response Technologies supported this measure. The Hawaii Food Industry Association opposed this measure. The Department of the Attorney General, Department of Accounting and General Services, and the Tax Foundation of Hawaii offered comments on the measure.

Your Committee has amended this measure by:

- (1) Adding a purpose section;

SB3103 HD1 HSCR PBS HMS 2014-2581



- (2) Deleting a provision that would have allowed the administering agency to retain up to two per cent of remitted surcharges to cover administrative costs;
- (3) Clarifying that the Department of Accounting and General Services is the administering agency for the surcharge, including by deleting references to "ehawaii.gov";
- (4) Defining "board" as meaning the enhanced 911 board; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Should the Committee on Consumer Protection and Commerce deliberate on this measure, your Committee respectfully requests that it further examine the collection of the proposed surcharge and the issues surrounding online purchases, administrative expenses, and other related issues.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3103, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3103, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,

*Henry J.C. Aquino*  
\_\_\_\_\_  
for HENRY J.C. AQUINO, Chair



HSCR 962-14

Bill/Resolution No.: <b>SB 3103 SDZ</b>	Committee Referral: <b>PBS, CPC, FIN</b>	Date: <b>March 13, 2014</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PBS Members	Ayes	Ayes (WR)	Nays	Excused
1. AQUINO, Henry J.C. (C)	✓			
2. ING, Kaniela (VC)	✓			
3. HAR, Sharon E.				✓
4. ICHIYAMA, Linda	✓			
5. NAKASHIMA, Mark M.	✓			
6. TAKAYAMA, Gregg	✓			
7. TAKUMI, Roy M.				✓
8. YAMANE, Ryan L.	✓			
9. YAMASHITA, Kyle T.	✓			
10. MCDERMOTT, Bob				✓
<b>TOTAL (10)</b>	7			3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				